

GUIDEBOOK TO CHANCERY PRACTICE IN NEW JERSEY

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HON. WILLIAM A. DREIER
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IN MEMORIUM

On February 2, 2024, the Honorable William A. Dreier, the original author of this book, passed away at the age of 86. New Jersey has a long history of some outstanding judges because of their brilliance, practicality and empathy for the litigants who appeared before them. Judge Dreier had all of those qualities to perfection.

Judge Dreier was a sitting Superior Court judge for approximately 25 years. His judicial career began in the Union County District Court when he was appointed at the tender age of 35. He then sat in the Superior Court spending many years as a chancery judge, after which he went to the Appellate Division for an additional 15 years. As an Appellate Division judge, he wrote approximately 387 published opinions on a vast number of topics and became an expert in many of those topics authoring, in addition to this book, texts on product liability, the rules of evidence, arbitration, secured financing under the UCC and numerous other areas of the law.

Judge Dreier graduated from the Massachusetts Institute of Technology in 1958 and from Columbia Law School in 1961. It was at Columbia that this writer met him in our initial year at the law school. Our friendship expanded when he was a Superior Court Judge and it evolved into a deep relationship comprised of mutual interests, respect for each other and frequent intellectual exercises usually, but not always, on issues of law. He had many friends and the respect, well-deserved, of members of the Bar at all levels.

In 2015, Judge Dreier was the recipient of the Lifetime Achievement Award from the *New Jersey Law Journal*. For his educational endeavors, NJICLE awarded him the 1993 Alfred C. Clapp award for Excellence in Continuing Legal Education. He also received the New Jersey Bar Foundation's Medal of Honor in 2008, and the ADR Practitioner of the Year Award from the NJSBA's Dispute Resolution Section in 2010. He was the first recipient of the William A. Dreier Award for Excellence in Product Liability Law in 2009 from the NJSBA Product Liability Section.

After his retirement from the bench, he became one of the leading mediators and arbitrators in this state and did so very quickly. Judge Dreier has been regularly included in the Alternative Dispute Resolution section of *The Best Lawyers in America*© and *New Jersey Super Lawyers*. He was named the *Best Lawyers' Arbitration "Lawyer of the Year"* in the Woodbridge, New Jersey Metro Area in 2018 and 2016 and is also listed in *Who's Who in America*. He was also a Fellow of the College of Commercial Arbitrators and was a member of the New Jersey Panel of Distinguished Neutrals, International Institute for Conflict Prevention and Resolution, the National Academy of Distinguished Neutrals, and the AAA National Panels of Mediators and Commercial, Complex Cases, Class Actions and Wireless Telecommunications Arbitrators.

As an arbitrator and mediator Judge Dreier's career was as successful as he had been in his career as a judge. He quickly became well-known in the legal community for his skill in bringing

about successful conclusions to mediations and, of course, the success he had as a trial judge was replicated in his arbitrations.

My professional encounters with my friend Bill Dreier varied. In addition to arguing occasional motions before him I tried a case in Chancery in which he was the judge. It was an opportunity to see him for two to three weeks, day-to-day, in control of his courtroom prepared at all times and courteous to witnesses but assuring that they stayed on topic. It was a complex case but his opinion was clear, understandable and never appealed.

In addition to all of his professional achievements he was a husband, a father and grandfather devoted to his wife Sandra, their children and their grandchildren and as proud of them as they were of him. The judiciary and bar have lost a master in a state that has had a long and proud history of quality judges. Bill Dreier was respected by all and was a superstar in that elite group of outstanding New Jersey judges. He was a giant at the law and we will all very much miss him.

Paul A. Rowe

ABOUT THE AUTHORS

PAUL A. ROWE, ESQ., is Chairman of Greenbaum, Rowe, Smith & Davis LLP, with offices in Woodbridge, Roseland and Red Bank New Jersey.

Listed in *The Best Lawyers in America*® in the Bet-the-Company Litigation, Appellate Law, Commercial Litigation, Family Law, Litigation–Construction, Litigation–Intellectual Property and Litigation–Real Estate categories, Mr. Rowe was also selected as *Best Lawyers'* "Lawyer of the Year" in Litigation – Real Estate (2014), Appellate Practice (2013), and as "Bet-the-Company Litigator of the Year" (2011). He was ranked as the #1 Super Lawyer by peer vote and *Super Lawyers New Jersey* for an unprecedented four consecutive years (2012, 2013, 2014, 2105).

Mr. Rowe's practice has been limited exclusively to litigation for more than five decades. The practice has involved all forms of business litigation. He has tried to conclusion numerous cases involving trade secrets, antitrust, stock fraud, real estate brokerage, corporate and partnership disputes, and numerous Chancery matters of the type described in this book. His trial practice has been in both state and federal courts in New Jersey and other states throughout the country.

In addition to being a co-author of the *Guidebook to Chancery Practice in New Jersey*, Mr. Rowe is the original author of *New Jersey Business Litigation* and is the co-author with Andrea J. Sullivan of the 2014 edition and all subsequent editions.

Mr. Rowe is a Fellow of the International Academy of Trial Lawyers and a Fellow of the American College of Trial Lawyers. He is a Past President of the Essex County Bar Association and a member of the New Jersey State and American Bar Associations and a Fellow of the American Bar Foundation. He is also a Trustee and Past President of the Legal Services Foundation of Essex County.

In 2014, Mr. Rowe was the recipient of the Lifetime Achievement in Litigation Award from the *New Jersey Law Journal*, and received the Robert J. Cirafesi Chancery Practice Award from the Middlesex County Bar Association. He was the recipient of the National Judge Learned Hand Award from the Metro New Jersey Region of AJC in 2013, and received the Trial Attorneys of New Jersey Lifetime Achievement Award in 1993.

Mr. Rowe is a 1958 graduate of Tufts College and a 1961 graduate of Columbia Law School. He was admitted to the New York Bar in 1961 and the New Jersey Bar in 1962. Mr. Rowe has been a frequent lecturer for ICLE on various subjects in connection with business, commercial litigation, chancery practice and family law and has authored numerous articles regarding trial practice and related topics.

ANDREA J. SULLIVAN, ESQ., is a former Partner in Greenbaum, Rowe, Smith & Davis LLP, with offices in Woodbridge, New Jersey; Roseland, New Jersey; Red Bank, New Jersey; and New York, New York.

Ms. Sullivan's practice included commercial litigation, estate litigation, matrimonial

litigation, chancery litigation, and alternative dispute resolution. She represented professionals such as accountants, attorneys and dentists in various types of actions, from professional malfeasance to claims of fraud and alleged professional malpractice. Ms. Sullivan handled cases involving many types of business conflicts, including contract disputes, oppressed minority shareholder litigation, hiring and termination of senior employees, non-compete issues, and other “business divorce” matters. She also appeared before numerous professional boards, such as accountancy, dentistry, and mortuary science. In areas of estate and matrimonial litigation, Ms. Sullivan’s practice focused primarily on the representation of high net-worth individuals and included the resolution of matters requiring sophisticated business valuations.

Ms. Sullivan is a Past President of the Middlesex County Bar Association and Past Chair of the Chancery Practice Committee. She was Co-Chair of the Equity Jurisprudence Committee and a trustee of the New Jersey State Bar Association. Ms. Sullivan received the 2019 Equal Justice Medal from Legal Services of New Jersey for her major pro bono contribution. She was the recipient of the Middlesex County Bar Association Robert J. Cirafesi Chancery Practice Award in 2010. Ms. Sullivan was listed in *The Best Lawyers in America* in the Commercial Litigation category. She was also selected for *NJBIZ* magazine’s Top 50 Women in Business in 2010. She was named one of the 2018 Top Women in the Law by the New Jersey Law Journal. Ms. Sullivan is a Fellow of the Litigation Counsel of America.

She is admitted to the Bars of New Jersey, the U.S. District Court, District of New Jersey, and the U.S. Court of Appeals, Third Circuit. In addition to this volume, she co-authored, with Paul A. Rowe *Business Litigation in New Jersey*.

Ms. Sullivan graduated from Mount Holyoke College, *cum laude*, in 1982. She received her J.D. with high honors from Rutgers University School of Law, Newark, in 1989, where she was elected to the Order of the Coif and awarded the Alumni Senior Prize for exhibiting the greatest achievement during her law school career and the greatest promise as a future member of the legal community. She served as a law clerk to the Honorable Erminie Lane Conley, Chancery Division, General Equity Part, Superior Court of New Jersey.

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